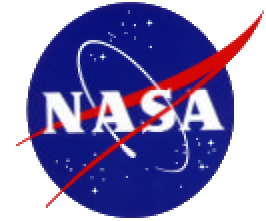




**Test Program for Certain
Commercial Items, Simplified
Acquisition Procedures--
FAR Subpart 13.5**



Procurement 2000 Conference

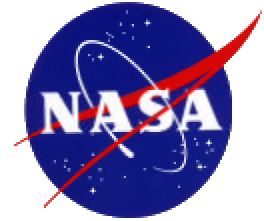
March 28, 2000

Falls Church, VA

Paul Karla and Teresa Monaco
Glenn Research Center



Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5

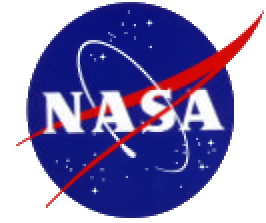


SUMMARY

- Introduction to Commercial Item Acquisition
- Overview of FAR Subpart 13.5 Test Procedures
- Glenn Research Center Experience



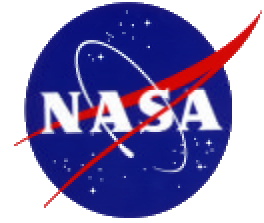
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Introduction to Commercial Item Acquisition**
 - Policy: FAR Part 12 implements Government's preference for acquisition of commercial items
 - Regulatory Provision: Public Law 103-355 (Acquisition Streamlining Act of 1994)
 - Definition: FAR 2.101. Any item typically used for non-governmental purposes....
 - Applicability: For acquisitions under Parts 13, 14, and 15



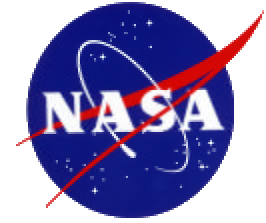
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- Overview of FAR Subpart 13.5 Test Procedures
 - The test program provides for procedural discretion and flexibility to contracting officers.
 - It is applicable to commercial items: over \$100K to \$5M, including options.
 - Authority expires January 1, 2002.
 - The goal: maximize efficiency, economy, and minimize burden and administrative costs
 - Benefits to both government and industry



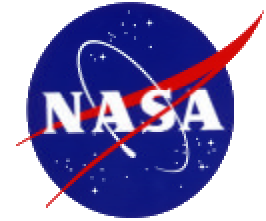
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- Commercial clauses, FAR 12.301:
 - FAR 52.212-1, Instructions to Offerors--Commercial Items (can be tailored)
 - FAR 52.212-2, Evaluation--Commercial Items (if have evaluation factors)
 - FAR 52.212-3, Offeror Representations and Certifications--Commercial Items (cannot be tailored)
 - FAR 52.212-4, Contract Terms and Conditions--Commercial Items (can be tailored)
 - FAR 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders--Commercial Items (cannot be tailored except addendum for cost information under FAR Part 15 for reasonableness of prices)



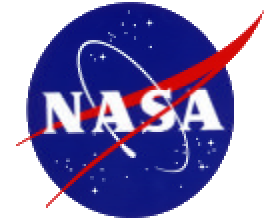
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- Tailoring, FAR 12.302(d):
 - Continuation of schedule in SF 1449
 - Other terms and conditions necessary for the performance of the proposed contract
 - Options
 - Ordering procedures for indefinite-delivery type contracts
 - Warranties
 - Contract financing arrangements
- NFS 1812.301 NFS provisions and contract clauses (includes small business clauses)



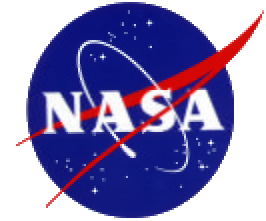
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Glenn Research Center Experience**
 - Buy commercial and utilize simplified acquisition procedures whenever possible.
 - Test Procedures usage and data
 - FY 1999: 27 actions (range of \$105K to \$2.5M).
 - FY 2000: 14 actions to date (range of \$108K to \$688K). 73% improvement in lead time vs. mid-range or big-range contract actions.
 - Currently working on Agency ISO 9001 renewal



Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5

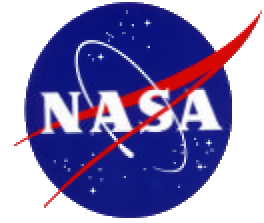


SUMMARY

- Commercial item
- Presolicitation planning
- Market research
- Synopsis
- Draft RFQ
- Solicitation
- Contract Format
- Evaluation Criteria and Procedures
- Documentation
- Benefits



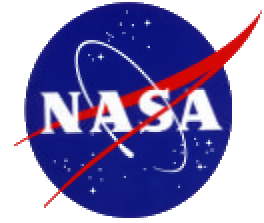
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **ISO 9001 Registration Services is a commercial item**
 - Catalog pricing: Registrars provide quotes based on number of employees
 - Hundreds of registrars
 - Internationally recognized accreditation
 - Registrars have conducted ISO 9001 audits for a number of years



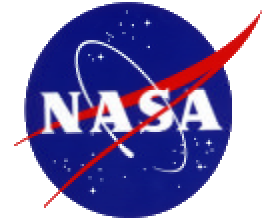
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Presolicitation planning**
 - Contract type. FAR 12.207: firm fixed price or indefinite delivery
 - CCI: NFS 1807.7000
 - All NASA sites and other Federal agencies may use contract
- **Market research**
 - Presolicitation conference not necessary
 - Interchange meetings can be helpful if we are unsure of industry practices.



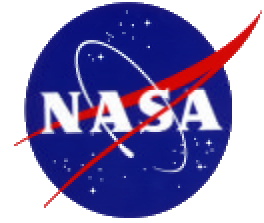
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Synopsis**
 - FAR 5.203. Synopsis posted at least 15 days before issuance of the solicitation. Allows shorter period for commercial items.
 - FAR 12.603. Combined synopsis/solicitation



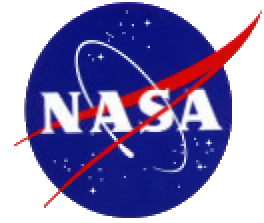
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Draft RFQ, NFS 1815.201:**
 - Not required for simplified acquisitions, but industry comments can be helpful
- **Solicitation, FAR 12.204 and 12.205:**
 - Use commercial terms and conditions.
 - To the maximum extent possible, use existing product literature in lieu of technical proposals.
 - Offerors can propose more than one product.



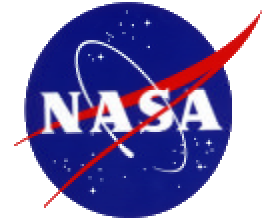
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- Allows for less than 30 day response time for receipt of offers for commercial items.
- Solicitation mailing lists not required (FAR 14.205-1)
- **FAR 12.303 Contract Format**
 - SF 1449
 - Continuation of any block from SF 1449
 - Commercial clauses: FAR 52.212-1 through 52.212-5
 - Addenda for FAR 52.212-1 and 4
 - Contract documents, exhibits, and attachments



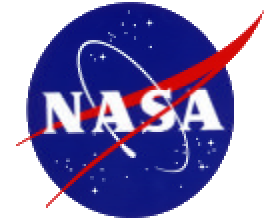
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Evaluation Criteria, FAR 13.106(a)(2):**
 - Basis of award (technical, cost, past performance)
 - Encouraged to use best value (defined in FAR 2.101)
 - Not required to state the relative importance assigned to each evaluation factor and subfactor. Not required to use subfactors.



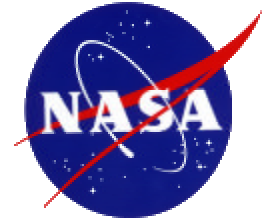
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Evaluation Procedures, FAR 13.106-2**
 - Evaluate quotations:
 - In an impartial manner
 - FOB Destination
 - On the basis established in the RFQ
 - All quotations shall be considered
 - One or more of the evaluation procedures in FAR Part 15 (Contracting by Negotiation) may be used.
 - Evaluate in efficient and minimally burdensome fashion



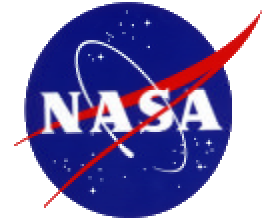
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- Formal evaluation plans and establishing a competitive range, conducting discussions and scoring quotations or offers are not required.
- Comparative evaluations of offers are allowed.
- Past performance evaluation:
 - Does not require creation of a formal data base.
 - May be based on knowledge of and previous experience with the service being acquired, customer surveys, or other reasonable basis.



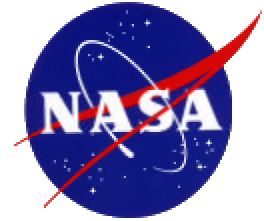
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- Documentation, FAR 13.106-3 and 13.501(b):
 - Price reasonableness: competitive quotations or offers.
 - Minimal documentation
 - Brief written description of the procedures used in awarding the contract, including the fact that the test procedures in FAR Subpart 13.5 were used;
 - Number of offers received;
 - Basis for the contract award decision; and
 - Any approved sole source justification, if necessary.



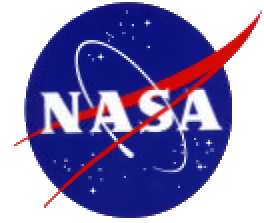
Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Resistance to Using Simplified Acquisition Procedures**
 - Unfamiliarity with the applicability of Simplified Acquisition Procedures to other procurements
 - Level of comfort with traditional methods
 - Resistance to change
 - Thought process: Procurement is unique to government, and it is not a commercial item
 - Want to tell contractor how to prepare their offer and how they will do the work for us



Test Program for Certain Commercial Items, Simplified Acquisition Procedures-- FAR Subpart 13.5



- **Benefits of Simplified Acquisition Procedures**
 - Simplify RFQ Preparation
 - Flexibility in evaluation
 - Shorter procurement lead times
 - Documentation reduced
 - Does not require establishment of Source Evaluation Committee or Board
 - Reduction in procurement costs for Government and industry